REMARKS

Claims 1-18 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Cheng *et al.* (U.S. Paten No. 6,151,643). Claims 1-18 have been amended. Support for these amendments may be found, for example, on page 100, lines 21+. No new matter has been added to the prosecution of this application. For at least the reasons stated below, Applicant asserts that all claims are in condition for allowance.

A. Oath/Declaration

The Office Action states that the Declaration is defective because the second inventor Martin J. Mulroe is not on the Declaration. Martin J. Mulroe is not on the Declaration because he is not an inventor. The Declaration identifies the correct inventorship. Mr. Mulroe's name was inadvertently placed on the Utility Patent Application Transmittal and thus incorrectly placed on the Official Filing Receipt. Applicant submits herewith a Request for a Corrected Official Filing Receipt to remove Martin J. Mulroe as an inventor. Applicant respectfully submits that the Declaration is not defective and no further action is necessary.

B.   35 U.S.C. 103(a) Rejections

Claims 1-18 are rejected under 35 U.S.C. 103(a) as allegedly being anticipated by Cheng *et al.* (Cheng). Applicant respectfully opposes these rejections. MPEP 2143 provides in part, "To establish a prima facie case of obviousness...the prior art reference...must teach or suggest **all** the claim limitations." (emphasis added). Because the cited reference alone or in combination fails to teach or suggest all of the claim limitations, Applicant respectfully requests that the Examiner's §103 rejections be withdrawn.

Applicant has amended independent claims 1, 7, and 13 to recite that at least one aspect of an existing application is input into a knowledge database. Cheng does not appear to disclose such a system. As discussed throughout the specification, for example, on page 41, lines 18-19, data is translated into knowledge that is stored in a storage device. The storage device stores information that provides a user with insight regarding one or more subjects relating to the information. The information provides more than raw data that is typically stored in a storage device. Storage devices typically store data that is then manipulated, processed or otherwise used to obtain desired information.

According to Applicant's invention, the data (*i.e.*, raw data) that is input by the user is input into a knowledge database that is provided as knowledge. More specifically, the

characteristics of a framework of an application server are input as raw data and stored as knowledge by inputting the characteristics into a knowledge database. Cheng does not appear to disclose such a system. Cheng does not appear to disclose a system wherein characteristics of a framework of an application server ar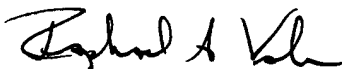e input into a knowledge database as claimed. Therefore, Applicant respectfully submits that independent claims 1, 7, and 13 are allowable for at least the foregoing reasons. Claims 2-6, 8-12, and 14-18 depend from at least one of independent claims 1, 7, and 13. Therefore, Applicant respectfully submits that these claims are also allowable for at least the foregoing reasons.

CONCLUSION

Applicant respectfully submits that all pending claims are allowable and respectfully request that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at 949-823-6055. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Reference 60021-341801).

Respectfully submitted,

Date: June 6, 2003

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IN.THE CLAIMS

1.   (AMENDED) A method for improving an existing application infrastructure of an application service provider, comprising the steps of:

~~(a)~~   prompting a user to identify at least one aspect of an existing application infrastructure utilizing a network;

<u>inputting the at least one aspect of an existing application into a knowledge database</u>;

~~(b)~~   receiving the identification of the at least one aspect of the existing application infrastructure utilizing the network;

~~(c)~~   analyzing the at least one aspect of the existing application infrastructure using a spreadsheet stored in a database; and

~~(d)~~   proposing improvements to the existing application infrastructure based on the analysis utilizing the network.

2.   (AMENDED) <u>The</u> ~~A~~ method as recited in claim 1, wherein the at least one aspect includes an ability to deliver applications over the network.

3.   (AMENDED) <u>The</u> ~~A~~ method as recited in claim 1, wherein the ~~network is a wide area network~~ <u>step of analyzing analyzes the at least one aspect of an existing application using predefined rules</u>.

4.   (AMENDED) <u>The</u> ~~A~~ method as recited in claim 1, and further comprising the step of assessing results of the analysis, and providing the user with the assessment.

5.   (AMENDED) <u>The</u> ~~A~~ method as recited in claim 1, wherein the user is prompted to identify the at least one aspect of the existing application infrastructure by querying the user.

6.   (AMENDED) <u>The</u> ~~A~~ method as recited in claim 1, wherein the improvement includes adding components of the existing application infrastructure that are currently missing.

7.   (AMENDED) A computer program embodied on a computer readable medium for improving an existing application infrastructure of an application service provider, comprising:

~~(a)~~   a code segment for prompting a user to identify at least one aspect of an existing application infrastructure utilizing a network;

<u>a code segment for inputting the at least one aspect of an existing application into a knowledge database</u>;

~~(b)~~   a code segment for receiving the identification of the at least one aspect of the existing application infrastructure utilizing the network;

~~(c)~~   a code segment for analyzing the at least one aspect of the existing application infrastructure using a spreadsheet stored in a database; and

~~(d)~~   a code segment for proposing improvements to the existing application infrastructure based on the analysis utilizing the network.

8.   (AMENDED) The A computer program as recited in claim 7, wherein the at least one aspect includes an ability to deliver applications over the network.

9.   (AMENDED) The A computer program as recited in claim 7, wherein the ~~network is a wide-area network~~ code segment for analyzing analyzes the at least one aspect of an existing application using predefined rules.

10.   (AMENDED) The A computer program as recited in claim 7, and further comprising a code segment for assessing results of the analysis, and providing the user with the assessment.

11.   (AMENDED) The A computer program as recited in claim 7, wherein the user is prompted to identify the at least one aspect of the existing application infrastructure by querying the user.

12.   (AMENDED) The A computer program as recited in claim 7, wherein the improvement includes adding components of the existing application infrastructure that are currently missing.

13.   (AMENDED) A system for improving an existing application infrastructure of an application service provider, comprising:

~~(a)~~   logic for prompting a user to identify at least one aspect of an existing application infrastructure utilizing a network;

logic for inputting the at least one aspect of an existing application into a knowledge database;

~~(b)~~   logic for receiving the identification of the at least one aspect of the existing application infrastructure utilizing the network;

~~(c)~~   logic for analyzing the at least one aspect of the existing application infrastructure using a spreadsheet stored in a database; and

~~(d)~~   logic for proposing improvements to the existing application infrastructure based on the analysis utilizing the network.

14.   (AMENDED) The A system as recited in claim 13, wherein the at least one aspect includes an ability to deliver applications over the network.

15.   (AMENDED) The A system as recited in claim 13, wherein the ~~network is a wide-area network~~ logic for analyzing analyzes the at least one aspect of an existing application using predefined rules.

16.   (AMENDED) The A system as recited in claim 13, and further comprising logic for assessing results of the analysis, and providing the user with the assessment.

17.   (AMENDED) The A system as recited in claim 13, wherein the user is prompted to identify the at least one aspect of the existing application infrastructure by querying the user.

18.   (AMENDED) The A system as recited in claim 13, wherein the improvement includes adding components of the existing application infrastructure that are currently missing.